

INFORMATION COLLECTION APPROVAL PROCESS FOR INFORMATION COLLECTIONS ASSOCIATED WITH NEW RULEMAKINGS

STEP 1 DEVELOP/REVISE THE INFORMATION COLLECTION DOCUMENT TO ENSURE THAT IT:

- \$ Is necessary for the proper performance of agency functions;
- \$ Avoids unnecessary duplication;
- \$ Reduces burden on small entities;
- \$ Uses plain language.
- \$ Is consistent and compatible with current reporting and recordkeeping practices;
- \$ Indicates the retention period for recordkeeping requirements;
- \$ Informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (1) Why the information is being collected;
 - (2) Use of information;
 - (3) Burden estimate;
 - (4) Nature of response (voluntary, required for a benefit, or mandatory);
 - (5) Nature and extent of confidentiality; and
 - (6) Need to display a valid OMB control number;
- \$ Was developed by an office that has planned and allocated resources for the efficient and effective management of the information to be collected;
- \$ Uses effective and efficient statistical survey methodology; and
- \$ Makes appropriate use of information technology.

STEP 2 ENSURE THAT THE PAPERWORK REDUCTION ACT (PRA) SUPPORTING STATEMENT IS COMPLETE AND ACCURATE. Closely follow OMB instructions (available as a PDF file on the PDM Home Page) for completing the Supporting Statement. Provide all required information.

STEP 3 PREPARE A NOTICE OF PROPOSED RULEMAKING. In the preamble, include a statement that the information collection(s) in the proposed rule has been submitted to OMB for review. Tell the public that OMB has up to 60 days to approve or disapprove the information collection, but may respond after 30 days. To ensure consideration, comments should be submitted to OMB within 30 days. Include:

- \$ Title for the collection of information;
- \$ Summary of the collection of information;
- \$ Brief description of the need for the information and proposed use;
- \$ Description of likely respondents, including estimated number, and proposed frequency of response;
- \$ Estimate of the total annual reporting and recordkeeping burden that will result from the collection of information.
- \$ Statement that directs public comments to the Attention: Desk Officer for the Interior Department, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. Also, direct comments to the Service Information Collection Clearance Officer.
- \$ If the Service has requested approval on an emergency basis, indicate time period within which the Service has requested OMB to approve or disapprove.
- \$ Statement that "The Service may not conduct or sponsor, and a person is not required, to respond to a collection of information unless it displays a currently valid OMB control number."
- \$ You must solicit public comments on:
 - (1) Whether or not the collection of information is necessary for the proper performance of the functions of the Service, including whether or not the information will have practical utility;

- (2) The accuracy of the estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (3) The quality, utility, and clarity of the information to be collected; and
- (4) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated electronic, mechanical, or other forms of information technology.

STEP 4 PREPARE A PRA SUBMISSION AND SEND IT TO THE DIVISION OF POLICY AND DIRECTIVES MANAGEMENT FOR REVIEW AND CLEARANCE. Submit:

- \$ ***Original and three copies of OMB Form 83-I (Paperwork Reduction Act Submission).*** Follow OMB directions (available as a PDF file on the PDM Home Page) for completing OMB Form 83-I. Report any filing fees that you are considering in block 14 of OMB Form 83-I, and explain the fees in section 13 of the Supporting Statement. (Filing fees are charges to filers to reimburse the Government for the cost of processing an application for special Federal benefits.) Only the Service Information Collection Clearance Officer and the Department of the Interior Information Collection Coordinator will sign this form.
- \$ ***Supporting Statement.*** See OMB guidance (available as a PDF file on the PDM Home Page) for preparing the Supporting Statement. Follow this guidance carefully.
- \$ ***Summary of public comments received,*** including actions in response to the comments.
- \$ ***Copies of pertinent statutory authority and regulations.***
- \$ ***Draft Notice of Proposed Rulemaking.***

STEP 5 FORWARD THE PACKAGE TO THE DEPARTMENT FOR REVIEW AND CLEARANCE. After the Service Information Collection Clearance Officer has reviewed and approved the PRA package, submit one complete PRA submission and three additional filled-out OMB Forms 83-I to the Department for clearance. After review, the Department will retain one copy of the PRA documents and return three signed OMB Forms 83-I to the Service.

STEP 6 IF RULEMAKING IS SIGNIFICANT UNDER EXECUTIVE ORDER 12866, SEND DRAFT NOTICE OF PROPOSED RULEMAKING TO OMB. Forward a copy of the PRA submission to OMB informally along with the Draft Notice of Proposed Rulemaking. Do not send the PRA submission to OMB until the Service Information Collection Clearance Officer and the Department have reviewed and cleared the submission.

STEP 7 AFTER THE DRAFT NOTICE OF PROPOSED RULEMAKING HAS BEEN APPROVED BY OMB FOR PUBLICATION, SEND THE PRA SUBMISSION TO OMB FOR APPROVAL. Use the three OMB Forms 83-I signed by the Department (Step 5) to create three complete copies of the PRA submission. Include a copy of the Notice of Proposed Rulemaking. Retain one copy and send two complete copies to OMB. OMB must receive the two copies of the PRA submission as close as possible to, but no later than the day on which the Notice of Proposed Rulemaking is published in the Federal Register (Step 8).

STEP 8 PUBLISH IN THE FEDERAL REGISTER THE NOTICE OF PROPOSED RULEMAKING.

- \$ In the preamble, include a statement that the information collection(s) in the proposed rule have been submitted to OMB for review. Direct comments on the information collection aspects of the rule to the Attention: Desk Officer for the Interior Department, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. Also direct comments to the Service Information Collection Clearance Officer.

\$ Inform the public that OMB has up to 60 days to approve or disapprove the proposed information collection, but may respond after 30 days. To ensure consideration, public comments should be submitted to OMB within 30 days. Include the following:

- (1) Title for the collection of information;
- (2) Summary of the collection of information;
- (3) Brief description of the need for the information and proposed use;
- (4) Description of likely respondents, including estimated number, and proposed frequency of response;
- (5) Estimate of the total annual reporting and recordkeeping burden that will result from the collection of information.
- (6) Statement that directs public comments to the Attention: Desk Officer for the Interior Department, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. Also, direct comments to the Service Information Collection Clearance Officer.
- (7) If the Service has requested approval on an emergency basis, indicate time period within which the Service has requested OMB to approve or disapprove.

\$ You must solicit public comments on:

- (3) Whether or not the collection of information is necessary for the proper performance of the functions of the Service, including whether or not the information will have practical utility;
- (4) The accuracy of the estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (4) The quality, utility, and clarity of the information to be collected; and
- (5) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated electronic, mechanical, or other forms of information technology.

STEP 9 OMB APPROVES OR DISAPPROVES THE INFORMATION COLLECTION. OMB will review the PRA submission and respond after 30 days, but before 60 days. The OMB Notice of Action will either approve or disapprove the information collection. If approved, OMB will assign an information collection control number, which must be displayed on the document.

STEP 10 IF OMB APPROVED THE INFORMATION COLLECTION(S) IN THE NOTICE OF PROPOSED RULEMAKING AND THE INFORMATION COLLECTION(S) IN THE NOTICE OF FINAL RULEMAKING (NFRM) IS/ARE THE SAME, PUBLISH AN NFRM AND THE PROCESS IS COMPLETE.

\$ Address in the preamble to the NFRM any comments received on the information collection(s) in the Notice of Proposed Rulemaking and that no significant changes resulted. 5 CFR 1320.8(b)(3) requires that the following appear either in the preamble or the text of the final rule:

- (1) The reasons the information is being collected;
- (2) How the information will be used to further the proper performance of the Service;
- (3) An estimate of the average burden of the collection in hours, together with a request that the public direct any comments to the Service Information Collect Clearance Officer and to OMB concerning the accuracy of the burden estimate and any suggestions for reducing the burden;
- (4) Whether or not responses to the collection of information are voluntary, required to obtain or retain a benefit (cite authority), or mandatory (cite authority);
- (5) The nature and extent of confidentiality to be provided, if any (cite authority); and

- (6) The fact that a Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

STEP 11 IF OMB DID NOT APPROVE THE INFORMATION COLLECTIONS IN THE NOTICE OF PROPOSED RULEMAKING OR IF THE INFORMATION COLLECTIONS IN THE NOTICE OF FINAL RULEMAKING IS/ARE NOT THE SAME, PREPARE A REVISED PRA SUBMISSION. Submit a revised PRA submission (see Step 4) associated with the Final Rulemaking to PDM for review. After review by the Service Information Collection Clearance Officer, you must forward the submission to the Department for review and clearance. Attach a copy of the draft NFRM to the PRA submission.

STEP 12 SEND THE PRA SUBMISSION TO OMB FOR APPROVAL. After clearance by the Department, forward the PRA submission to OMB requesting approval of the information collection(s) associated with the final rulemaking. Submit this package to OMB no later than the date of publication of the NFRM in the Federal Register.

STEP 13 PUBLISH AN NFRM AND REQUEST PUBLIC COMMENTS WITHIN 30 DAYS.

- \$ Address in the preamble any comments received on the information collection in the Notice of Proposed Rulemaking and all significant changes that resulted.
- \$ In the preamble, include a statement that the information collection(s) in the NFRM has been submitted to OMB for review. Direct comments on the information collection aspects of the final rule to the Attention: Desk Officer for the Interior Department, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503. Also direct comments to the Service Information Collection Clearance Officer.
- \$ Inform the public that the information collection aspects of the final rulemaking will not take effect until approved by OMB. 5 CFR 1320.8(b)(3) requires that items (1) through (6), Step 10, appear either in the preamble or the text of the final rule.
- \$ You must solicit specific public comments on:
 - (1) Whether or not the collection of information is necessary for the proper performance of the functions of the Service, including whether or not the information will have practical utility;
 - (2) The accuracy of the estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
 - (3) The quality, utility, and clarity of the information to be collected; and
 - (4) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated electronic, mechanical, or other forms of information technology.

STEP 14 OMB WILL REVIEW THE PRA SUBMISSION AND RESPOND. After 30 days and before 60 days, OMB will issue a Notice of Action that either approves or disapproves the information collection.

STEP 15 PUBLISH A FEDERAL REGISTER NOTICE TO INFORM THE PUBLIC OF OMB'S DECISION ON THE INFORMATION COLLECTION.